PETITION FOR ZONING VARIANCE PROM AREA AND HEIGHT REGULATIONS 79-107-A

legal owners of the property situate in Baltim on and plat attacked horses and made a part here

tition for a Variance from Caction, 1802. 3. G. I to parmit a side author. of ...

5 feet in lieu of the required 10 met. (B.R.5.5 Zone)

of the Sming Regulations of Railmore County, to the Zming Law of Railmore County, for the Sming reason: (Asiana benefity or profited difficulty Section 211. 3 provides 9° classrance that the second of the Sming with to import and therefore request a variance to allow it to build within 5' rather than 8 of the isset adjaces property, lan. Other residents of the community have obtained such variance, the immediate adjacest landowners have not objected to the variance and the owners/positioners allege that the variance would not adversely affect public 16 15 H

Property is to be posted and advertised as prescribe I, or we, agree to pay expenses of above Variance advises, and further agree to and are to be bound by the laws County extended mercanet to the Zonios Law Fox. Caro you & Higinbook on 411 alabama Road Tower Maryhund ORDERED By The Zoning Commissioner of Baltimore County, this _____22nd

County, on the 6th

D

DESCRIPTION OF 411 ALABAMA ROAD

BEGINNING for the same on the south side of Alabama Road nately 240' east of its intersection with Dixie Drive, the mts thereon being known as 411 Alabama Road

In the ninth Election District being also that lot of ground designated as Lot Number 13 on the plat of "SOUTHLATID HILLS" which plat is filed amone the land records of Baltimore County in Fiat Book C. W. B. . Jr. . Liber 12. Folio 30, dated February, 1939.

RE: PETITION FOR VARIATICE

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

JOHN P. HIGINBOTHOM, et ux,

......

ORDER TO ENTER APPEARANCE

uant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Leter Max Bimmermen

John W. Herein III John W. Hesslan, III People's C unsel County Office Building

I HERERY CERTIFY that on this 18th duy of October, 1978, a copy of the foregoing Order was mailed to Mr. and Mrs. John P. Higinbothom, 411 Alabama Road, Towson, Maryland 21204, Petitioners.

> Gu To. Hessian III Ma W Harrison III

PETITION FOR VARIANCE

SOUTH SIDE ALABAMA ROAD

CASE NO. 79-102-A

240' EAST OF DIXIE DRIVE

9TH DISTRICT

COUNTY OF BALTIMORE STATE OF MARYLAND, SS. AFFIDAVIT

- I, Charles B. Chinn, being first duly sworn, deposes and says:
- 1. That I am the resident owner of 401 Dixie Drive where I have resided in excess of five (5) years.
- 2. That 401 Dixie Drive is on the north side c. Alabama Road at its intersection with Dixie Drive, and opposite petitioner's property. 3. That I am familiar with petitioner's property and the flagstone
- patio now covered by an awning located to the west of the improvement thereon
- i. That I am advised that petitioner interds to enclose said patio with a permanent roof and siding to be within approximately five feet (5') of the property line next adjoining to the wert.
- 5. That I hav no objection to the granting of a variance from the set back restrictions to allow petitioner to build the intended porch enclosure to within five feet (5') of said property line.
- 6. That said improvement would enchance petitioner's property and would not adversely affect my property or the community.
- 7. That the requested variance could not adversely affert the public health, safety, or general welfare of the community.

Charles & Com

Subscribed and sworn before me this 1079 day of ocroser 1978

sion expires July 1, 1981.

DETITION FOR VARIANCE

SOUTH SIDE ALABAMA ROLD

CASE NO. 79-102. A

240' EAST OF DIXTE DRIVE 9th DISTRICT

County of Baltimore, State of Marriand, SS AFFIDAVIT

- I. Mary Ulrich, being first duly sworn, deposes and says:
- 1. That I am the resident owner of 409 Alabama Road where I have resided in excess of fifteen (15' -ears.
- 2. That 409 Alabama Road is the next adjacent property to the west of petitioner's property,
- 3. That I am familiar with petitioner's property and the flagstone patio now cov. -ed by an awning located to the west of the improvement
- 4. That I am advised that petitioner intends to enclose said patio with a permanent roof and siding to be within approximately five feet (5') of the property line next adjoining to the west.
- 5. That I have no objection to the granting of a variance from the set back restrictions to allow petitioner to build the intended porch enclosur to within five feet (5") of said property line.
- 6. That said improvement would enhance petitioner's property and would not adversely affect my property or the community.
- 7. That the requested variance could not adversely affect the public health, safety, or general welfare of the community.

Subscribed and sworn before me this Joya day of serence, 1978

My Commission expires July 1, 1981,

PETITION FOR VARIANCE

SOUTH SIDE ALABAMA ROAD

CASE NO. 79-102-A

240' FAST OF DIVIE DRIVE

9TH DISTRICT

COUNTY OF BALTIMORE STATE OF MARYLAND, SS. AFFIDAVIT

- . Dennis W. Kreiner, being first duly sworn, deposes and says:
- 1. That I am the resident owner of 400 Alabama Road where I have resided in excess of five (5) years.
- L. That 400 Alabama Road is the property located on the north side. immediately opposite of petitioner's property.
- 3. That I am familiar with petitioner's property and the flagstone patio now covered by a 1 wning located to the west of the improvement
- 4. That I am advised that petitioner intends to enclose said patio with a permanent roof and siding to be within approximately five feet (5') of the property line next adjoining to the west.
- 5. That I have no objection to the granting of a variance from the set back restrictions to allow petitioner to build the intended porch enclosure to within five feet (5') of a sid property line.
- 6. That said improvement would enhance petitioner's property and would not adversely affect my property or the community.
- 7. That the requested variance could not adversely affect the puolic health, safety, or general welfare of the community.

Denvis W. Krones Subscribed and sworn before me this 30 day of October . 1978

PETITION FOR VARIANCE

SOUTH SIDE ALABAMA ROAD CASE NO.º 79-102-A

240' EAST OF DIXIE DRIVE OTH DISTRICT

COUNTY OF BALTIMORE
STATE OF MARYLAND, SS. AFFIDAVIT

- I, Arthur Kronen, being first duly sworn, deposes and says;
- 1. That I am the resident owner of 413 Alabama Road where I have resided in excess of fifteen (15) years.
- 2. That 413 Alabama Road is the next adjacent property to the east
- 3. That I am familiar with petitioner's property and the flagstone natio now covered by an awning located to the west of the improvement
- 4. That I am advised that petitioner intends to enclose said patio with a permanent roof and siding to be within approximately five feet (5') of the property line next adjoining to the west,
- 5. That I have no objection to the granting of a variance from the set back restrictions to allow petitioner to build the intended porch enclosure to within five fuet (5") of said property line.
- 6. That said improvement would enhance petitioner's property and would not adversely affect my property or the community.
- 7. That the requested variance could not adversely affect the public health, safety, or general welfare of the community.

Leonen

S. ERIC DINENNA

George J. Martinal

November 8, 1978

Mr. & Mrs. John P. Higinbothom 411 Alabama Road Towson, Maryland 21204

RE: Petition for Variance S/5 of Alabama Road, 240° E of Dixie Drive - 9th Election District John P. Higinbothom, et ux NO. 79-102-A (Item No. 39)

Dear Mr. & Mrs. Higinbothom

I have this date passed my Order in the above referenced matter, in accordance with the attached.

GIM ar

cc: John W. Hessian, III, Esqu're People's Counsel

BARIMORE COUNTY, MARY ND

S. Eric DINenne TO Zoning Commission Date October 31, 1978 Leslie H. Graef Director of Planning

Petition \$79-102-A. ITEM 39. Petition for a Variance to permit a side yard setback

South side of Alabama Avenue, 240 feet East of Dixie Drive Petitioner – John P. Higinbothom, et us:

9in District

HEARING - Monday, November 6, 1978 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Leslie H. Greef Planning

LHG:JGH:rv

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Ave. Towson, Maryland 21204

Your Petition has been received and accepted for filing this 22nd day of August 67978.

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Sureau of Engineering

Department of Traffic Enginee

State Roade Commis Bureau of Fire Prevention

Project Planning Building Departme Board of Education

Zoning Administrat Industrial Development

DATE

Mr. & Mrs. John P. Higinbothom 411 Alabama Road Towson, Maryland 21204

RE: Variance Petition Item No. 39 Petitioner - Higinbothom

October 11, 1978

Dear Mr. & Mrs. Higinbothoms

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made not account to the plans are not intended to indicate the appropriateness of the soning action requested but to assure that all parties are made sware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

This petition is arrapted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Will Blands NICHOLAS B. CCMMODARI

NBC:emr

THORNTON M. MOURING, P.E.

October 5, 1976

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Item #39 (1978-1979) Item 199 [1976-1979] And Carolyn Q, Biginbothom.
5/8 Albame, Act ** n. Sixle D.
Existing Zoning: DR 5.5
Froppsed Zoning: NR 5.5
In lieu of the required 10.
Acress 0.7122 Discript 9th

The following comments are furnished in regard to the plat submitted to this office review by the Zoning Adviscry Committee in connection with the subject item.

Baltimore County hichway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, demaging private and public holdings downstream of the property. A grading parmit is, therefore, mecessary for a'l grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any muisanose or damages to adjacent properties, especially by the conventration of surface waters. Correction of any problem which may result, due to Lagropes reading or Lagropes installation of drainage facilities, would be the full mapper billing of the Petitions.

This office has no further comment ir regard to the plan submitted for Zoning Advisory mittee review in connection with this Item #39 (1978-1979).

ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering



October 23, 1978

Mr. Eric S. DiNenna, Zoning Commissioner Zoning Advisory Com...tee
Office of Pianning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenn

Comments on Item *39, Zoning Advisory Committee Meeting, August 22, 1978, are as follows

Property Owner John P and Corolyn O. Higinbothom Locarian: 5/5 Alabama Avenue 240° f. Disie Drive Estiring Zanige: 0.8.5.5 Proposed Zaning: Variance to permit a side setback of 5' in lieu of the required 10' Acres: 0.1725

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of pla. or problems with regard to development plars that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yourr,

STEPHEN E. COLLINS

Mr. S. Eric DiMenna Zoning Commis-'cner County Office Building Towson, Maryland

Item No. 36 - SDC - August 22, 1978
Property Comment Spr. P. Carclyn G. Niglinbothom
Spr. R. Carclyn G. Niglinbothom
Redsting Soming:
Proposed woming:
Variance to permit a side sethark of 5' in lieu
of the required 10'.

Dear Mr. DiMenna

No traffic problems are anticipated by the requested variance to the mide setback.

Thokaft Homico

Michael S. Planigan Engineer Associate II

MSF/hme



September 21, 1978

Mr. S. Eric DiNemna Office of Planning and Zoning County Office Building Towson, Haryland 21204

Comments on Item #39, Zoning Advisory Committee meeting, August 22, 1978, are as follows:

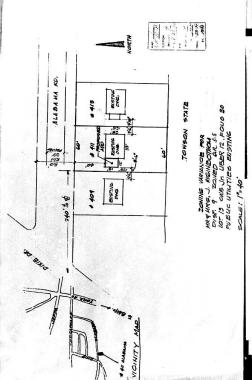
John F. & Garolyn Q. Higinbothom S/ Alabana Ave. 240° E DJ ie Dr. Property Owners

Variance to permit a side setback of 5* in lieu of the required 10*.

Metropolitan water are anticipated, and sewer exist, therefore no heal a hazards Very truly yours,

Thomas H. Devlin, Director Bureau of Environmental Services

THD/JRP sph&



لم	batteriore county
-	department of permits and license
•	TOWSON, MARYLAND 21204 (301) 494-3616
-	evener.

September 22, 1978

Comments on Itm # 39 Zoning Advi-ory Committee Newting, August 22, 1978 are as follows:

are as follows:

Typerty Ones: John P & Carolyn Higinbothon

Loostine: SS Alabama Ave. 200' E Dixie Drive

Estating Toolses D.R. 5.5

Proposed Rontage Variance to permit a side setback of 5' in lieu of the required 10'.

X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.

Fermits shall be required. D. Building shall be upgraded to new use - requires alteration permit.

X E. Three sets of construction drawings may be required to file an application for a building parmic.

Three sets of construction drawings with a registered Maryland Architect or Hagineer's original seal will be required to file an application for a building permit.

X G. Noof frame walls are not permitted within you of a property lime.

Contact Mailing Department if distance is between you and to the property in a few of property lime. A cane hour line in a wall facing the property lime shall be

1. Mailing Conf. See Bettion

Mailing Conf. See Bettion

CERTIFICATE OF POSTING NG DEPARTMENT OF BALTIMORE COUNTY

District. 9	Date of Posting 10/2 d
Posted for . Carranel	;
Petitioner: Jukn ht	regentrathem, et il
Location of property: 5/5 alale	ma acre (III alabama)
location of Signer fromt of	peoplety
	<i>,,</i>
Remarks	***************************************
Posted by	m Date of return: 10/17
	No. of Signs /
	NO. 01 51gns

PETITION	MAPPING			PROGRESS			SHEE	Ţ		
	Woll Mop		Original		Duplicate		Tracing		200 Shee	
FUNCTION	date	by	date	1	date	by	date	by	date	b
Descriptions checked and outline plotted on map					121	للرب				
Peticion number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: OI Previous case: 74-1	13<			Chan	ed Pl	utline	or des	cript		Ye No



October 3, 1978

Office of Planning and Zoning Baltimore County Office Building Townon, Maryland 21204

Attention: N. Commodari, Chairman Zoning Adiveory Committee

Pe: Property Owner: John P. & Carolyn Q. Higinbothom

Location: S/S Alabama Ave. 240' E Dixie Dr.

Zoning Agenda Heeting of 08/22/75

Pursuant to your request, the referenced property has been surveyed by this sursess and the comments below marked with an 'r' are applicable and required to be corrected or incorporated into the final plans for the property.

- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at ____ EXCESS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable perts of the Fire Provention Code prior to occupancy or beginning of operations.
- The building, and structures cristing or proposed on the site shall comply with all applicable requirements of the Reticnal Pire Pro-tection Association former as 5c, 101 "Life Safety Code", 1970 Builtion prior to company.
- () 6. Site plans are approved as drawn.
- (x) 7. The Piro Prevention Bureau has no comments, at this time.

BOYINGS W. H. Special and Heory M. Wegond Special Inspection Division

Special Inspection Division

Special Inspection Division

CERTIFICATE OF PUBLICATION

published in THE JEFFERSONIAN, a weekly newspaper printed

appearing on the 19th day of October

THIS IS TO CERTIFY that the appeared advertisement we

> THE JEFFERSONIAN, L. Leane Street

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND : 21204

Date: August 16, 1978

Mr. S. Eric DiNenna Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

Z.A.C. Meeting of: August 22, 1978

RE: Item No: 39
Property Coner: John P. & Carolyn, Q. Higinbothon
Location. 5/5 Alshama Ave. 240° F. Distic Brive
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side setback of 5° in lieu of
the required 10°.

District: 9th No. Acres: 0.1722

No hearing on student population.

Very truly yours, W. had fetrant W. Nick Petrovich,

Field Representative

---MAS. LORRAINE F. CHIRCUS ROGER S. HATDEN

ALVIN LORECE MBS. MILTON R. SMITH, JR. FICHARD W. TRACEY, DVM

ADDEST T. DUBEL & FLAMILION

HIMIES TOWSON, MD. 21204 October 19 THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - John P. Higinbothom.

et ux was inserted in the following:

☐ Catonsville Times ☐ Dundalk Times

D Towson Times

☐ Essex Times ☐ Suburban Times East ☐ Arbutus Times
☐ Community Times

weekly newspapers published in Baltimore, County, Maryland,

> STROMBERG PUBLICATIONS, INC. By Esthe Burger



ALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

19.78.

Cost of Advertisement, \$

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Peticion has been received * this 1H day of August 1978. Filing Pee 525.00. Received Check

__Other

Petitioner's Attorney What Hand Han Teviered by Dien Itter

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.



